IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 2634 of 2006

For Approval and Signature:

HONOURABLE MR. JUSTICE B.J.SHETHNA
HONOURABLE MR.JUSTICE MD SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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P N BAVISHI - Petitioner(s)
Versus
STATE OF GUJARAT & 1 - Respondent(s)

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Appearance :
MR IS SUPEHIA for Petitioner(s) : 1,
MR AJ DESAI AGP for Respondent(s) : 1,
RULE SERVED for Respondent(s) : 1,
RULE NOT RECD BACK for Respondent(s) : 2,

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CORAM : HONOURABLE MR. JUSTICE B.J.SHETHNA

and

HONOURABLE MR.JUSTICE MD SHAH

Date : 19/06/2006

ORAL JUDGMENT

(Per : HONOURABLE MR. JUSTICE B.J.SHETHNA)

Heard learned counsel for the parties, Mr.Supehia for the petitioner, Mr.Desai for respondent No.1 and Mr.J.B.Pardiwala for respondent No.2.

Mr.Supehia for the petitioner states that his representation for denying him 5 notional increments at the time of voluntary retirement be considered by the concerned authority within a stipulated time. If such direction is issued, then he would not press this petition, at this stage. Prayer is innocuous, therefore, granted. Accordingly, concerned authority is directed to consider the representation of the petitioner for granting 5 notional increments, which have been denied to him at the time of voluntary retirement. The same may be considered strictly in accordance with law as early as possible preferably within 3 months from the date of the receipt of this order.

With these observations and direction, this petition is disposed of as withdrawn. Accordingly, Rule is discharged.

(B.J.SHETHNA, J.)

(M.D.SHAH, J.)

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